

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

XAVIER JOHNSON,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:05-cv-704-WKW
)	
BIG 10 TIRES, INC.,)	
)	
Defendant.)	

ORDER

In accordance with the prior proceedings and orders of the Court, it is ORDERED and ADJUDGED that this case is DISMISSED WITHOUT PREJUDICE, each party to bear its own costs and attorney's fees.

The Clerk of the Court is DIRECTED to enter this document on the civil docket as a Final Judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure and close this file.

DONE this the 26th day of September, 2006.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE